

**ATTACHMENT 2**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CA #: 04CV12058WGY

BETTE J. RIVARD, as Administratrix of )  
the Estate of John A Horton, )  
Plaintiff )  
v. )  
DARTMOUTH HOUSE OF CORRECTION, )  
BRISTOL COUNTY, JOHN DOE, )  
RICHARD ROE, Bristol County Corrections )  
employees the identity and number of )  
whom is presently unknown to the Plaintiff, )  
Defendants/ )  
Third Party Plaintiffs )  
v. )  
PRISON HEALTH SERVICES, INC. and )  
CORRECTIONAL HEALTH CARE )  
SOLUTIONS, INC. )  
Third Party Defendants )  
\_\_\_\_\_  
)

**F.R.C.P. Rule 30(A) and Rule 45**

TO: **Maria Tavares Iafrate**  
**29 Plymouth Street**  
**New Bedford, MA 02740**

**Greetings:**

**YOU ARE HEREBY COMMANDED** in the name of The Commonwealth of Massachusetts in accordance with the provisions of Rule 45 of the Federal Rules of Civil Procedure to appear and testify on behalf of Prison Health Services, Inc., before a Notary Public of the Commonwealth, at the law firm of **Koufman & Frederick, LLP**, **265 Essex Street, Suite 301, in the City of Salem, Massachusetts**, on **Tuesday the 23<sup>rd</sup> of August, 2005 at 12:00 noon**, and to testify as to your knowledge of the above-captioned matter, at the taking of the deposition in the above-entitled action.

Hereof fail not as you will answer your default under the penalties in the law in  
that behalf made and provided.

Dated at Salem, the 3<sup>rd</sup> day of August, 2005

**ISSUED BY:**

**Victor J. Koufman, Esq.**  
Koufman & Frederick, LLP  
265 Essex Street, Suite 301  
Salem, Massachusetts 01970  
(978) 745-2212



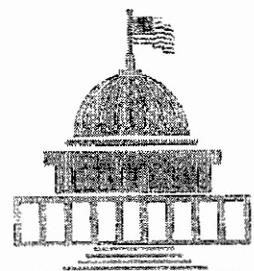
**Note: Please contact Attorney Mary Eiro-Bartevyan at (978) 745-2212 upon receipt of this subpoena.**

**UNITED STATES DISTRICT COURT**  
**District of Massachusetts**  
**Docket/Case No: 04CV12058WGY**

I hereby certify and return that today, August 4, 2005, at 1:29 PM, I summoned the within named witness Maria Tavares Iafrate to appear and give testimony (*or produce*) as within directed, by leaving a true and attested copy of the within United States District Court Subpoena at the last and usual place of abode of Maria Tavares Iafrate, to wit: 29 Plymouth Street, New Bedford, MA 02740. I also tendered \$60.00 (Sixty Dollars and Zero Cents), at the time and place of service, being the fee for one days attendance and travel.

I declare under the penalty of perjury under the laws of the United States of America  
that the foregoing information is true and correct. Executed on August 4, 2005.

*Herve W. Vandal, Jr.*  
Herve W. Vandal, Jr., Process Server  
& Disinterested Person over Age 18.



**Capitol Constable Service**  
10 Lowell Street  
P.O. Box 3315  
Peabody, MA, 01960-5412  
800-977-0427 978-977-0427 Business  
978-977-0122 FAX  
<http://constableservice.com>

Service:\$45.75  
Witness Fee:\$60.00  
Total:\$105.75

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CA #: 04CV12058WGY

BETTE J. RIVARD, as Administratrix of )  
the Estate of John A Horton, )  
Plaintiff )  
v. )  
DARTMOUTH HOUSE OF CORRECTION, )  
BRISTOL COUNTY, JOHN DOE, )  
RICHARD ROE, Bristol County Corrections )  
employees the identity and number of )  
whom is presently unknown to the Plaintiff, )  
Defendants/ )  
Third Party Plaintiffs )  
v. )  
PRISON HEALTH SERVICES, INC. and )  
CORRECTIONAL HEALTH CARE )  
SOLUTIONS, INC. )  
Third Party Defendants )  
)

**NOTICE OF TAKING DEPOSITION**

TO: Robert M. Proulx, Esquire  
Proulx Law Associates, P.C.  
170 High Street, Suite 301  
Taunton, MA 02780

Regina Ryan, Esq.  
Merrick, Louison, & Costello  
67 Batterymarch Street  
Boston, MA 02110

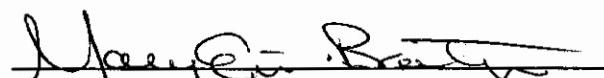
Please take notice that the defendants, by their attorneys, will take the deposition  
upon oral examination of Maria Tavares Iafrate on Tuesday, the 23<sup>rd</sup> day of August  
2005 at 12:00 noon at the offices of Koufman & Frederick, LLP, 265 Essex Street, Suite

301, Salem, MA, pursuant to the applicable rules of the Federal Rules of Civil Procedure, before a Notary Public, or before some other officer authorized by law to administer oaths. The examination will continue from day to day until completed.

Dated: 8-3-05

Respectfully submitted,  
Prison Health Services, Inc.

By its attorneys,

  
Victor J. Koufman BBO. #545296  
Mary Eiro-Bartevyan, BBO #558970  
KOUFMAN & FREDERICK, LLP  
265 Essex Street, Suite 301  
Salem, Massachusetts 01970-3402  
(978) 745-2212

**CERTIFICATE OF SERVICE**

I, Mary Eiro-Bartevyan, attorney for Prison Health Services, Inc., hereby certify that I have this **3<sup>rd</sup> day of August 2005**, forwarded a copy of the foregoing, ***Notice of Taking Deposition of Maria Tavares Lafrate***, by first-class mail, postage prepaid, to the following counsel of record:

Robert M. Proulx, Esquire  
Proulx Law Associates, P.C.  
170 High Street, Suite 301  
Taunton, MA 02780

Regina Ryan, Esquire  
Merrick, Louison & Costello  
67 Batterymarch Street  
Boston, MA 02110

  
Mary Eiro-Bartevyan

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CA #: 04CV12058WGY

BETTE J. RIVARD, as Administratrix of )  
the Estate of John A Horton, )  
Plaintiff )  
v. )  
DARTMOUTH HOUSE OF CORRECTION, )  
BRISTOL COUNTY, JOHN DOE, )  
RICHARD ROE, Bristol County Corrections )  
employees the identity and number of )  
whom is presently unknown to the Plaintiff, )  
Defendants/ )  
Third Party Plaintiffs )  
v. )  
PRISON HEALTH SERVICES, INC. and )  
CORRECTIONAL HEALTH CARE )  
SOLUTIONS, INC. )  
Third Party Defendants )  
\_\_\_\_\_  
)

F.R.C.P. Rule 30(A) and Rule 45

TO: **Mr. Frank Baez, Jr.**  
**465 Purchase Street**  
**New Bedford, MA 02740**

**Greetings:**

**YOU ARE HEREBY COMMANDED** in the name of The Commonwealth of Massachusetts in accordance with the provisions of Rule 45 of the Federal Rules of Civil Procedure to appear and testify on behalf of Prison Health Services, Inc., before a Notary Public of the Commonwealth, at the law firm of **Koufman & Frederick, LLP**, 265 Essex Street, Suite 301, in the City of Salem, Massachusetts, on **Thursday the 11<sup>th</sup> of August, 2005** at 1:00 p.m., and to testify as to your knowledge of the above-captioned matter, at the taking of the deposition in the above-entitled action.

Hereof fail not as you will answer your default under the penalties in the law in  
that behalf made and provided.

Dated at Salem, the 12<sup>th</sup> day of July, 2005

**ISSUED BY:**

**Victor J. Koufman, Esq.**  
Koufman & Frederick, LLP  
265 Essex Street, Suite 301  
Salem, Massachusetts 01970  
(978) 745-2212



*Kathleen M. Harvey-Merullo*  
Kathleen M. Harvey-Merullo, Notary Public  
**My Commission Expires: 8/25/06**

**Note: Please contact Attorney Mary Eiro-Bartevyan at (978) 745-2212 upon receipt of this subpoena.**

UNITED STATES DISTRICT COURT  
District of Massachusetts  
Docket/Case No: 04CV12058WGY

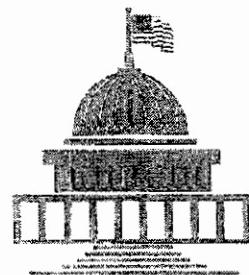
I hereby certify and return that today, July 14, 2005, at 12:11 PM, I summoned the within named witness Frank Baez, Jr. to appear and give testimony (*or produce*) as within directed, by leaving a true and attested copy of the within Subpoena at the last and usual place of abode of Frank Baez, Jr., to wit: 465 Purchase Street, New Bedford, MA 02740. I also tendered \$20.00 (Twenty Dollars and Zero Cents), at the time and place of service, being the fee for one days attendance and travel.

I declare under the penalty of perjury under the laws of the United States of America  
that the foregoing information is true and correct. Executed on July 14, 2005.

*Herve W. Vandal, Jr.*  
Herve W. Vandal, Jr., Process Server  
& Disinterested Person over Age 18.

**Capitol Constable Service**  
10 Lowell Street  
P.O. Box 3315  
Peabody, MA, 01960-5412  
800-977-0427 978-977-0427 Business  
978-977-0122 FAX  
<http://constableservice.com>

Service:\$39.75  
Witness Fee:\$20.00  
Total:\$59.75



UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CA #: 04CV12058WGY

BETTE J. RIVARD, as Administratrix of )  
the Estate of John A Horton, )  
Plaintiff )  
v. )  
DARTMOUTH HOUSE OF CORRECTION, )  
BRISTOL COUNTY, JOHN DOE, )  
RICHARD ROE, Bristol County Corrections )  
employees the identity and number of )  
whom is presently unknown to the Plaintiff, )  
Defendants/ )  
Third Party Plaintiffs )  
v. )  
PRISON HEALTH SERVICES, INC. and )  
CORRECTIONAL HEALTH CARE )  
SOLUTIONS, INC. )  
Third Party Defendants )  
\_\_\_\_\_  
)

**NOTICE OF TAKING DEPOSITION**

TO: Robert M. Proulx, Esquire  
Proulx Law Associates, P.C.  
170 High Street, Suite 301  
Taunton, MA 02780

Regina Ryan, Esq.  
Merrick, Louison, & Costello  
67 Batterymarch Street  
Boston, MA 02110

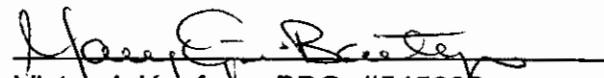
Please take notice that the defendants, by their attorneys, will take the deposition  
upon oral examination of **Mark Higgins** on Thursday, the 1<sup>st</sup> day of September 2005 at  
12:00 noon at the offices of **Koufman & Frederick, LLP, 265 Essex Street, Suite 301,**  
**Salem, MA**, pursuant to the applicable rules of the Federal Rules of Civil Procedure, before

a Notary Public, or before some other officer authorized by law to administer oaths. The examination will continue from day to day until completed.

Dated: 8-3-05

Respectfully submitted,  
Prison Health Services, Inc.

By its attorneys,



Victor J. Koufman BBO. #545296  
Mary Eiro-Bartevyan, BBO #558970  
KOUFMAN & FREDERICK, LLP  
265 Essex Street, Suite 301  
Salem, Massachusetts 01970-3402  
(978) 745-2212

**CERTIFICATE OF SERVICE**

I, Mary Eiro-Bartevyan, attorney for Prison Health Services, Inc., hereby certify that I have this **3<sup>rd</sup> day of August 2005**, forwarded a copy of the foregoing, ***Notice of Taking Deposition of Mark Higgins***, by first-class mail, postage prepaid, to the following counsel of record:

Robert M. Proulx, Esquire  
Proulx Law Associates, P.C.  
170 High Street, Suite 301  
Taunton, MA 02780

Regina Ryan, Esquire  
Merrick, Louison & Costello  
67 Batterymarch Street  
Boston, MA 02110



Mary Eiro-Bartevyan

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CA #: 04CV12058WGY

BETTE J. RIVARD, as Administratrix of )  
the Estate of John A Horton, )  
Plaintiff )  
v. )  
DARTMOUTH HOUSE OF CORRECTION, )  
BRISTOL COUNTY, JOHN DOE, )  
RICHARD ROE, Bristol County Corrections )  
employees the identity and number of )  
whom is presently unknown to the Plaintiff, )  
Defendants/ )  
Third Party Plaintiffs )  
v. )  
PRISON HEALTH SERVICES, INC. and )  
CORRECTIONAL HEALTH CARE )  
SOLUTIONS, INC. )  
Third Party Defendants )  
\_\_\_\_\_  
)

**NOTICE OF TAKING DEPOSITION**

TO: Robert M. Proulx, Esquire  
Proulx Law Associates, P.C.  
170 High Street, Suite 301  
Taunton, MA 02780

Regina Ryan, Esq.  
Merrick, Louison, & Costello  
67 Batterymarch Street  
Boston, MA 02110

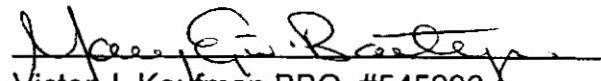
Please take notice that the defendants, by their attorneys, will take the deposition  
upon oral examination of **Frank Wetherall** on **Thursday, the 25<sup>th</sup> day of August 2005** at  
**10:00 a.m.** at the offices of **Koufman & Frederick, LLP, 265 Essex Street, Suite 301,**  
**Salem, MA**, pursuant to the applicable rules of the Federal Rules of Civil Procedure, before

a Notary Public, or before some other officer authorized by law to administer oaths. The examination will continue from day to day until completed.

Dated: 8-3-05

Respectfully submitted,  
Prison Health Services, Inc.

By its attorneys,

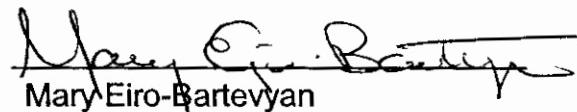
  
Victor J. Koufman BBO. #545296  
Mary Eiro-Bartevyan, BBO #558970  
KOUFMAN & FREDERICK, LLP  
265 Essex Street, Suite 301  
Salem, Massachusetts 01970-3402  
(978) 745-2212

### CERTIFICATE OF SERVICE

I, Mary Eiro-Bartevyan, attorney for Prison Health Services, Inc., hereby certify that I have this **3<sup>rd</sup> day of August 2005**, forwarded a copy of the foregoing, ***Notice of Taking Deposition of Frank Wetherall***, by first-class mail, postage prepaid, to the following counsel of record:

Robert M. Proulx, Esquire  
Proulx Law Associates, P.C.  
170 High Street, Suite 301  
Taunton, MA 02780

Regina Ryan, Esquire  
Merrick, Louison & Costello  
67 Batterymarch Street  
Boston, MA 02110



Mary Eiro-Bartevyan

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CA #: 04CV12058WGY

BETTE J. RIVARD, as Administratrix of )  
the Estate of John A Horton, )  
Plaintiff )  
v. )  
DARTMOUTH HOUSE OF CORRECTION, )  
BRISTOL COUNTY, JOHN DOE, )  
RICHARD ROE, Bristol County Corrections )  
employees the identity and number of )  
whom is presently unknown to the Plaintiff, )  
Defendants/ )  
Third Party Plaintiffs )  
v. )  
PRISON HEALTH SERVICES, INC. and )  
CORRECTIONAL HEALTH CARE )  
SOLUTIONS, INC. )  
Third Party Defendants )  
\_\_\_\_\_  
)

**NOTICE OF TAKING DEPOSITION**

TO: Robert M. Proulx, Esquire  
Proulx Law Associates, P.C.  
170 High Street, Suite 301  
Taunton, MA 02780

Regina Ryan, Esq.  
Merrick, Louison, & Costello  
67 Batterymarch Street  
Boston, MA 02110

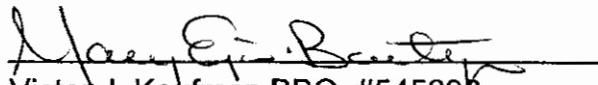
Please take notice that the defendants, by their attorneys, will take the deposition upon oral examination of **Mark Duwart** on Thursday, the 25<sup>th</sup> day of August 2005 at 12:00 noon at the offices of **Koufman & Frederick, LLP**, 265 Essex Street, Suite 301, Salem, MA, pursuant to the applicable rules of the Federal Rules of Civil Procedure, before

a Notary Public, or before some other officer authorized by law to administer oaths. The examination will continue from day to day until completed.

Dated: 8-3-05

Respectfully submitted,  
Prison Health Services, Inc.

By its attorneys,

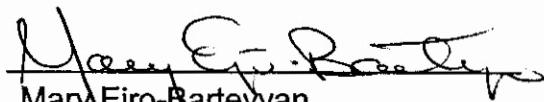
  
Victor J. Koufman BBO. #545296  
Mary Eiro-Bartevyan, BBO #558970  
KOUFMAN & FREDERICK, LLP  
265 Essex Street, Suite 301  
Salem, Massachusetts 01970-3402  
(978) 745-2212

## CERTIFICATE OF SERVICE

I, Mary Eiro-Bartevyan, attorney for Prison Health Services, Inc., hereby certify that I have this **3<sup>rd</sup> day of August 2005**, forwarded a copy of the foregoing, ***Notice of Taking Deposition of Mark Duwart***, by first-class mail, postage prepaid, to the following counsel of record:

Robert M. Proulx, Esquire  
Proulx Law Associates, P.C.  
170 High Street, Suite 301  
Taunton, MA 02780

Regina Ryan, Esquire  
Merrick, Louison & Costello  
67 Batterymarch Street  
Boston, MA 02110



Mary Eiro-Bartevyan

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CA #: 04CV12058WGY

BETTE J. RIVARD, as Administratrix of )  
the Estate of John A Horton, )  
Plaintiff )  
v. )  
DARTMOUTH HOUSE OF CORRECTION, )  
BRISTOL COUNTY, JOHN DOE, )  
RICHARD ROE, Bristol County Corrections )  
employees the identity and number of )  
whom is presently unknown to the Plaintiff, )  
Defendants/ )  
Third Party Plaintiffs )  
v. )  
PRISON HEALTH SERVICES, INC. and )  
CORRECTIONAL HEALTH CARE )  
SOLUTIONS, INC. )  
Third Party Defendants )  
\_\_\_\_\_  
)

NOTICE OF TAKING DEPOSITION

TO: Robert M. Proulx, Esquire  
Proulx Law Associates, P.C.  
170 High Street, Suite 301  
Taunton, MA 02780

Regina Ryan, Esq.  
Merrick, Louison, & Costello  
67 Batterymarch Street  
Boston, MA 02110

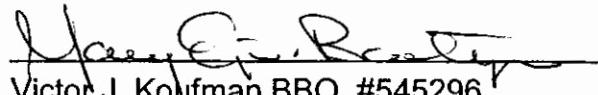
Please take notice that the defendants, by their attorneys, will take the deposition upon oral examination of Steven Leahy on Thursday, the 25<sup>th</sup> day of August 2005 at 2:00 p.m. at the offices of Koufman & Frederick, LLP, 265 Essex Street, Suite 301, Salem, MA, pursuant to the applicable rules of the Federal Rules of Civil Procedure, before

a Notary Public, or before some other officer authorized by law to administer oaths. The examination will continue from day to day until completed.

Dated: 8-3-05

Respectfully submitted,  
Prison Health Services, Inc.

By its attorneys,



Victor J. Koupman BBO. #545296  
Mary Eiro-Bartevyan, BBO #558970  
KOUFMAN & FREDERICK, LLP  
265 Essex Street, Suite 301  
Salem, Massachusetts 01970-3402  
(978) 745-2212

### CERTIFICATE OF SERVICE

I, Mary Eiro-Bartevyan, attorney for Prison Health Services, Inc., hereby certify that I have this **3<sup>rd</sup> day of August 2005**, forwarded a copy of the foregoing, ***Notice of Taking Deposition of Steven Leahy***, by first-class mail, postage prepaid, to the following counsel of record:

Robert M. Proulx, Esquire  
Proulx Law Associates, P.C.  
170 High Street, Suite 301  
Taunton, MA 02780

Regina Ryan, Esquire  
Merrick, Louison & Costello  
67 Batterymarch Street  
Boston, MA 02110



Mary Eiro-Bartevyan

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

U.S. DISTRICT COURT  
CLERK'S OFFICE

CA #: 04CV12058WGY

BETTE J. RIVARD, as Administratrix of )  
the Estate of John A Horton, )  
Plaintiff )  
v. )  
DARTMOUTH HOUSE OF CORRECTION, )  
BRISTOL COUNTY, JOHN DOE, )  
RICHARD ROE, Bristol County Corrections )  
employees the identity and number of )  
whom is presently unknown to the Plaintiff, )  
Defendants/ )  
Third Party Plaintiffs )  
v. )  
PRISON HEALTH SERVICES, INC. and )  
CORRECTIONAL HEALTH CARE )  
SOLUTIONS, INC. )  
Third Party Defendants )  
\_\_\_\_\_  
)

**NOTICE OF TAKING DEPOSITION**

TO: Robert M. Proulx, Esquire  
Proulx Law Associates, P.C.  
170 High Street, Suite 301  
Taunton, MA 02780

Regina Ryan, Esq.  
Merrick, Louison, & Costello  
67 Batterymarch Street  
Boston, MA 02110

Please take notice that the defendants, by their attorneys, will take the deposition  
upon oral examination of **Shane Benson** on **Thursday, the 23<sup>rd</sup> day of August 2005** at  
**2:00 p.m.** at the offices of **Koufman & Frederick, LLP, 265 Essex Street, Suite 301,**  
**Salem, MA**, pursuant to the applicable rules of the Federal Rules of Civil Procedure, before